

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MARVIN M. WIENER,

Defendant.

Adv. Pro. No. 10-04293 (SMB)

**STIPULATION AND ORDER**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendant Marvin M. Wiener (the “Defendant”), by and through his counsel, Fox Rothschild LLP (collectively, the “Parties”), represent as follows:

**WHEREAS**, on November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “LPO”) [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141];

**WHEREAS**, the Trustee commenced this action (the “Adversary Proceeding”) by filing a complaint (the “Complaint”) on November 26, 2010 [Dkt. No. 1];

**WHEREAS**, pursuant to the Notice of Applicability filed by the Trustee in this Adversary Proceeding on November 26, 2010 [Dkt. No. 2], the LPO and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter;

**WHEREAS**, under the Avoidance Procedures, “the parties shall meet, either in person or by teleconference, and confer on a mediation, discovery and litigation plan (the ‘Initial Case Conference’)” within 30 days after an answer is filed (the “Initial Case Conference Period”);

**WHEREAS**, the Defendant filed an answer to the Complaint on July 31, 2015 [Dkt. No. 31]; and

**WHEREAS**, the parties have agreed to extend the Initial Case Conference Period in this Adversary Proceeding, which would have otherwise expired on August 31, 2015;

**NOW, THEREFORE**, the Parties stipulate and agree to, and the Court **ORDERS**, the following:

1. The Initial Case Conference Period is hereby extended to September 30, 2015.
2. The Initial Case Conference in this Adversary Proceeding will be held on a date to be agreed upon by the parties on or before September 30, 2015.

Dated: New York, New York  
August 27, 2015

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Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities  
LLC and for the Estate of Bernard L. Madoff*

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*Attorneys for Defendant Marvin Wiener*

**SO ORDERED ON August 28<sup>th</sup>, 2015:**

/s/ STUART M. BERNSTEIN  
**HONORABLE STUART M. BERNSTEIN**  
**UNITED STATES BANKRUPTCY JUDGE**